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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. MJ12-355  
10 v. )  
11 ERNESTO BENITEZ-CURIEL, ) DETENTION ORDER  
12 Defendant. )  
13 \_\_\_\_\_ )

14 Offense charged: Conspiracy to Distribute Methamphetamine, Distribution of  
15 Methamphetamine

16 Date of Detention Hearing: July 3, 2012.

17 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
18 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
19 that no condition or combination of conditions which defendant can meet will reasonably  
20 assure the appearance of defendant as required and the safety of other persons and the  
21 community.

22 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

01           1.       Defendant is reportedly a citizen of Mexico.

02           2.       The United States alleges that his presence in this country is illegal. There is an  
03 immigration detainer pending against him. The issue of detention in this case is therefore  
04 essentially moot, as the defendant would be released to immigration custody if not detained in  
05 this case.

06           3.       Defendant and his counsel offer no opposition to entry of an order of detention.

07           4.       Upon advice of counsel, defendant declined to be interviewed by Pretrial  
08 Services. Therefore, there is limited information available about him.

09           5.       There does not appear to be any condition or combination of conditions that will  
10 reasonably assure the defendant's appearance at future Court hearings while addressing the  
11 danger to other persons or the community.

12 It is therefore ORDERED:

13       1. Defendant shall be detained pending trial and committed to the custody of the Attorney  
14 General for confinement in a correction facility separate, to the extent practicable, from  
15 persons awaiting or serving sentences or being held in custody pending appeal;

16       2. Defendant shall be afforded reasonable opportunity for private consultation with  
17 counsel;

18       3. On order of the United States or on request of an attorney for the Government, the  
19 person in charge of the corrections facility in which defendant is confined shall deliver  
20 the defendant to a United States Marshal for the purpose of an appearance in connection  
21 with a court proceeding; and

22       4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel

01 for the defendant, to the United States Marshal, and to the United State Pretrial Services  
02 Officer.

03 DATED this 3rd day of July, 2012.

04 S/MARY ALICE THEILER

05 Mary Alice Theiler  
06 United States Magistrate Judge